

ENTERED

January 30, 2017

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DAVID PORTILLO CRUZ,
Plaintiff,

v.

CAROLYN W. COLVIN,
ACTING COMMISSIONER OF
SOCIAL SECURITY,
Defendant.

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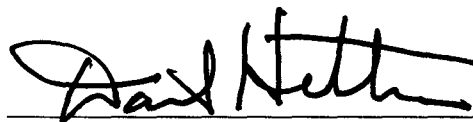
Civil Action H-15-3389

ORDER OF ADOPTION

On December 28, 2016, Magistrate Stephen Wm. Smith issued a memorandum and recommendation (Dkt. 11) recommending that Plaintiff's motion for summary judgment be granted and the Commissioner's motion for summary judgment be denied. No objections have been filed. Having considered the record and law, the court hereby ADOPTS the memorandum and recommendation as this court's order. It is therefore

ORDERED the Commissioner's decision denying Cruz disability benefits is vacated and this matter is remanded to the Commissioner for an award of benefits.

Signed at Houston, Texas, on January 27, 2017.



DAVID HITTNER
UNITED STATES DISTRICT JUDGE